

REMARKS

By the present amendment, claim 6 has been amended for clarification, and new claims 9-14 have been added. Support for the new claims is found in the original application, in particular on page 4, lines 9-13 of the specification

Claims 1-14 are pending in the present application. Independent claim 1 is directed to a polarizing plate. Claims 2-5 and 9-12 depend directly or indirectly on claim 1. Independent claim 6 is directed to an optical member. Claim 7 depends on claim 6. Independent claim 8 is directed to a liquid crystal display. Independent claim 13 is directed to a process for producing a polarizing plate. Claim 14 depends on claim 13.

In the Office Action, claim 6 is rejected under 35 U.S.C. 112, second paragraph, as indefinite. It is alleged that it is unclear to which layer the additional layer is bonded.

The rejection is respectfully traversed. It is immediately understood that the additional layer can be applied to any side of the polarizing plate. In addition, the specification clearly makes no distinction between the polarizing film side and the protective film side of the polarizing plate. Specifically, the specification does not limit the type and number of additional layers (page 4, lines 23-25), and examples of additional layers include a reflective layer (page 4, line 26) and an adhesive layer for adhering the optical element to a liquid crystal display cell (page 7, lines 21-23).

To clarify this point, claim 6 has been amended to recite that the additional layer is applied to any one of the polarizing film side and the transparent protective film side of the polarizing plate.

In view of the above, it is submitted that the rejection should be withdrawn.

Next, in the Office Action, claims 1-4 and 8 are rejected under 35 U.S.C. 102(b) as anticipated by US 4,388,375 (Hopper), and claims 5 and 6-7 are rejected under 35 U.S.C. 103(a) as obvious over Hopper in view of US 3,531,351 (Buzzell) and US 5,337,174 (Wada), respectively. It is alleged in the Office Action that, since Hopper passes a polarizing plate in a boric acid solution, the adhesive layer of Hopper necessarily comprises the boric acid crosslinking agent, and that Buzzell discloses a TAC protective film with saponified surface and Wada discloses the combination of a polarizing plate with a retardation layer.

The rejections are respectfully traversed. Hopper forms the laminate of the PVA polarizing film and PET protective film by adhesion with an aqueous adhesive before dipping the laminate in the iodine bath and in the stabilizing bath of boric acid solution. The boric acid solution in Hopper is used to stabilize the iodine in the PVA layer (Hopper at col. 6, lines 39-40). This stabilization effect in the PVA layer is possible because the PVA layer has an exposed surface in the laminate (i.e., the face of the PVA polarizing film opposed to the face adhered to the PET protective film). Thus, the exposed surface of the PVA polarizing film can take up the boric acid from the solution during dipping. However, the adhesive layer in Hopper has no main exposed surface in the laminate, so that the adhesive layer cannot take up any detectable amount of the boric acid. See Schering Corp. v. Geneva Pharmaceuticals, Inc., Docket No. 02-1540 , pp. 11-12, ____ USPQ2d ____ , ____ (Fed. Cir., August 1, 2003) (citing In re Seaborg, 328 F.2d 996 (CCPA 1964) where a nuclear reaction producing an isotope at most in an undetectable amount

did not anticipate a claim drawn to that isotope). Here, as in the Seaborg case cited in Schering, the process of Hopper would not result in any traceable amounts of boric acid in the adhesive layer through the at most minimally exposed lateral surface. Therefore, Hopper cannot anticipate an adhesive layer comprising a water-soluble crosslinking agent capable of crosslinking a vinyl alcohol-based polymer, as recited in the present claims.

In view of the above, it is submitted that the rejections should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Serial Number: 10/071,301

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In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 01-2340.

Respectfully submitted,

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